

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Examiner:

Unassigned

Steven Z. Wu et al.

Serial No.

10/663,181

Art Unit:

Unassigned

Filed:

September 15, 2003

Title:

Microparticle Coated Medical Device

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT PURSUANT TO 37 C.F.R. §§1.97-1.98

Dear Examiner:

In accordance with the duty of disclosure under 37 C.F.R. §1.56 and pursuant to 37 C.F.R. §\$1.97-1.98, Applicants hereby notify the U.S. Patent and Trademark Office of the references listed on the attached Form PTO-1449. According to a Notice signed July 11, 2003, the U.S. Patent and Trademark Office has waived the requirement under 37 C.F.R. § 1.98(a)(2)(i) for all patent applications filed after June 30, 2003. Since this patent application was filed after June 30, 2003, Applicants have not provided copies of the cited U.S. patents. Copies of the cited foreign patent documents and non-patent literature have been submitted herewith.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicants reserve the right to dispute the listed documents as prior art during examination. Furthermore, Applicants do not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application. The submission of this Information Disclosure Statement is not to be construed as a representation that a search has been made or that no other material information may exist.

The Examiner is requested to initial the enclosed Form PTO-1449 and return a copy thereof to the undersigned.

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The present Information Disclosure Statement is being filed before receiving the first Office Action. Therefore, no certification under 37 C.F.R. §1.97(e) or fee under 37 C.F.R. §1.17(p) is required. However, the Commissioner is authorized to charge any deficiencies or other amounts due to Deposit Account No. 07-1850.

Date: October $\frac{19}{2}$, 2003

SQUIRE, SANDERS & DEMPSEY L.L.P. One Maritime Plaza, Suite 300 San Francisco, CA 94111 Telephone (415) 954-0200 Facsimile (415) 393-9887 Respectfully submitted,

Paul J. Meyer, Jr. Attorney for Applicants

Reg. No. 47,791

US DEPARTMENT OF COMMERCE

proved or use through 10/31/2002

in an Application

US Patent and Trademark Office

Docket No. 50623.334

Application No. 10/663,181

INFORMATION DISCLOSURE CITATION APP

Applicant

Steven Z. Wu

(Use several sheets if necessary) Filing

Filing Date
September 15, 2003

Group Art Unit
Unassigned

Examiner Initial	Ref. No.	Document Number	Date of Patent	Name	Class	Subclass	Filing Date if Appropriate
	A1	4,329,383	5/11/82	Joh	428	36	
	A2	4,733,665	3/29/88	Palmaz	128	343	
	А3	4,800,882	1/31/89	Gianturco	128	343	-
	A4	4,882,168	11/21/89	Casey et al.	424	·468	
	A5	4,886,062	12/12/89	Wiktor	128	343	
	A6	4,941,870	7/17/90	Okada et al.	600	36	
	A7	4,977,901	12/18/90	Ofstead	128	772	
	A8	5,112,457	5/12/92	Marchant	204	165	
	A9	5,165,919	11/24/92	Sasaki et al.	424	488	
	A10	5,272,012	12/21/93	Opolski	428	423.1	
	A11	5,292,516	3/8/94	Viegas et al.	424	423	
	A12	5,298,260	3/29/94	Viegas et al.	424	486	
	A13	5,300,295	4/5/94	Viegas et al.	424	427	
	A14	5,306,501	4/26/94	Viegas et al.	424	423	
	A15	5,328,471	7/12/94	Slepian	604	101	
	A16	5,330,768	7/19/94	Park et al.	424	501	
	A17	5,380,299	1/10/95	Fearnot et al.	604	265	
	A18	5,417,981	5/23/95	Endo et al.	424	486	
	A19	5,447,724	9/5/95	Helmus et al.	424	426	
	A20	5,455,040	10/3/95	Marchant	424	426	
	A21	5,462,990	10/31/95	Hubbell et al.	525	54.1	
	A22	5,464,650	11/7/95	Berg et al.	427	2.30	
	A23	5,569,463	10/29/96	Helmus et al.	424	426	

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	A26	5,609,629	3/11/97	Fearnot et al.	623	1	
	A27	5,624,411	4/29/97	Tuch	604	265	
	A28	5,628,730	5/13/97	Shapland et al.	604	21	
	A29	5,649,977	7/22/97	Campbell	623	1	
	A30	5,658,995	8/19/97	Kohn et al.	525	432	
	A31	5,665,382	9/9/97	Grinstaff et al.	424	450	
	A32	5,667,767	9/16/97	Greff et al.	424	9.411	
	A33	5,670,558	9/23/97	Onishi et al.	523	112	
	A34	5,679,400	10/21/97	Tuch	427	2.14	
	A35	5,700,286	12/23/97	Tartaglia et al.	623	1	
	A36	5,702,754	12/30/97	Zhong	427	2.12	_
	A37	5,716,981	2/10/98	Hunter et al.	514	449	
	A38	5,735,897	4/7/98	Buirge	623	12	
	A39	5,746,998	5/5/98	Torchilin et al.	424	9.4	
	A40	5,776,184	7/7/98	Tuch	623	1	
	A41	5,788,979	8/4/98	Alt et al.	424	426	
	A42	5,800,392	9/1/98	Racchini	604	96	
	A43	5,820,917	10/13/98	Tuch	427	2.1	
	A44	5,824,048	10/20/98	Tuch	623	1	
	A45	5,824,049	10/20/98	Ragheb et al.	623	1	

EXAMINER: Initial if references considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered.

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	A70	6,060,518	5/9/00	Kabanov et al.	514	781		
	A71	6,080,488	6/27/00	Hostettler et al.	428	423.3	:	
	A72	6,096,070	8/1/00	Ragheb et al.	623	1		
	A73	6,099,562	8/8/00	Ding et al.	623	1.46		
	A74	6,110,188	8/29/00	Narciso, Jr.	606	153 _.		
	A75	6,110,483	8/29/00	Whitbourne et al.	424	423		
	A76	6,113,629	9/5/00	Ken	623	1.1		
	A77	6,120,536	9/19/00	Ding et al.	623	1.43		
	A78	6,120,904	9/19/00	Hostettler et al.	428	423.3		
	A79	6,121,027	9/19/00	Clapper et al.	435	180		
	A80	6,129,761	10/10/00	Hubbell	623	11		
:	A81	6,153,252	11/28/00	Hossainy et al.	427	2.3		
	A82	6,165,212	12/26/00	Dereume et al.	623	1.13		
	A83	6,203,551	3/20/01	Wu	606	108		
	A84	6,231,600	5/15/01	Zhong	623	1.42		
	A85	6,240,616	6/5/01	Yan	29	527.2		
	A86	6,245,753	6/12/01	Byun et al.	514	56		
	A87	6,251,136	6/26/01	Guruwaiya et al.	623	1.46		
	A88	6,254,632	7/3/01	Wu et al.	623	1.15		
	A89	6,258,121	7/10/01	Yang et al.	623	1.46		
	A90	6,283,947	9/4/01	Mirzaee	604	264		
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	A92	6,284,305	9/4/01	Ding et al.	427	2.28	
	A93	6,287,628	9/11/01	Hossainy et al.	427	2.3	
	A94	6,299,604	10/9/01	Ragheb et al.	604	265	
	A95	6,306,176	10/23/01	Whitbourne	623	23.59	
	A96	6,331,313	12/18/01	Wong et al.	424	427	
	A97	6,335,029	1/1/02	Kamath et al.	424	423	
	A98	6,346,110	2/12/02	Wu	606	108	
	A99	6,358,556	3/19/02	Ding et al.	427	2.24	
	A100	6,379,381	4/30/02	Hossainy et al.	623	1.42	
	A101	6,395,326	5/28/02	Castro et al.	427	2.24	
	A102	6,419,692	7/16/02	Yang et al.	623	1.15	
	A103	6,451,373	9/17/02	Hossainy et al.	427	2.25	8/4/00
	A104	6,494,862	12/17/02	Ray et al.	604	96.01	12/30/99
-	A105	6,503,556	1/7/03	Harish et al.	427	2.24	12/28/00
	A106	6,503,954	1/7/03	Bhat et al.	514	772.2	7/21/00
	A107	6,506,437	1/14/03	Harish et al.	427	2.25	10/17/00
_	A108	6,527,801	3/4/03	Dutta	623	1.46	4/13/00
	A109	6,527,863	3/4/03	Pacetti et al.	118	500	6/29/01
	A110	6,540,776	4/1/03	Sanders Millare et al.	623	1.15	12/28/00

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		A111	6,544,223	4/8/03	Kokish	604	103.01	1/5/01
		A112	6,544,543	4/8/03	Mandrusov et al.	424	422	12/27/00
		A113	6,544,582	4/8/03	Yoe	427	2.24	1/5/01
I		A114	6,555,157	4/29/03	Hossainy	427	2.24	7/25/00
		A115 6,558,733 5/6/03		5/6/03	Hossainy et al.	427	2.24	10/26/00
		A116	6,565,659	5/20/03	Pacetti et al.	118	500	6/28/01
		A117	6,572,644	6/3/03	Moein	623	1.11	6/27/01
		A118	6,585,765	7/1/03	Hossainy et al.	623	1.45	6/29/00
ĺ		A119	6,585,926	7/1/03	Mirzaee	264	400	8/31/00

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A120 6,605,154 8/12/03 Villareal 118 500 5/31/01 U.S. PATENT APPLICATION PUBLICATION DOCUMENTS Ref. No Examiner **Document** Date of Name Class **Subclass** Filing Date if Initial Number **Publication** Appropriate A121 2001/0018469 8/30/01 Chen et al. 523 121 A122 11/1/01 1.15 2001/0037145 Guruwaiya et al. 623 A123 2002/0077693 6/20/02 Barclay et al. 623 1.13 A124 2002/0091433 7/11/02 623 1.2 Ding et al. A125 2002/0155212 10/24/02 Hossainy 427 2.25 4/24/01 A126 2003/0065377 4/3/03 Davila et al. 623 1.13 4/30/02 A127 2003/0099712 5/29/03 424 486 11/26/01 Jayaraman EXAMINER DATE CONSIDERED



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September 15, 2003 Unassigned

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FOREIGN PATENT DOCUMENTS Ref. No. Class Subclass **Translation** Examiner Document Date of Country Yes Initial Number Publication No В1 EP 0 301 856 2/1/89 European **B2** EP 0 514 406 11/25/92 European ВЗ 6/29/94 EP 0 604 022 European В4 EP 0 623 354 11/9/94 European **B**5 EP 0 665 023 8/2/95 European European **B6** EP 0 701 802 3/20/96 **B**7 6/19/96 EP 0 716 836 European B8 EP 0 809 999 12/3/97 European **B**9 EP 0 832 655 4/1/98 European B10 EP 0 850 651 7/1/98 European **B**11 EP 0 879 595 11/25/98 European B12 EP 0 910 584 4/28/99 European B13 EP 0 923 953 6/23/99 European B14 EP 0 953 320 11/3/99 European B15 EP 0 970 711 1/12/00 European B16 EP 0 982 041 3/1/00 European B17 EP 1 273 314 1/8/03 European B18 2001-190687 7/17/01 Japan (Abstract) Х B19 WO 91/12846 9/5/91 **PCT** B20 WO 95/10989 4/27/95 PCT **PCT** B21 WO 96/40174 12/19/96

EXAMINER

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Applicant

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Examiner	Ref. No.	Document	Date of	Country	Class	Subclass	Trans	slation
Initial		Number	Publication			 	Yes	No
	B22	WO 97/10011	3/20/97	PCT				
	B23	WO 97/45105	12/4/97	PCT				
	B24	WO 97/46590	12/11/97	PCT				
_	B25	WO 98/17331	4/30/98	PCT	·			
	B26	WO 98/36784	8/27/98	PCT				
	B27	WO 99/01118	1/14/99	PCT				
	B28	WO 99/38546	8/5/99	PCT				
-	B29	WO 99/63981	12/16/99	PCT				
	B30	WO 00/02599	1/20/00	PCT				
	B31	WO 00/12147	3/9/00	PCT				
	B32	WO 00/18446	4/6/00	PCT				
	B33	WO 00/64506	11/2/00	PCT				
	B34	WO 01/01890	1/11/01	PCT				
	B35	WO 01/15751	3/8/01	PCT				
	B36	WO 01/17577	3/15/01	PCT				
	B37	WO 01/45763	6/28/01	PCT				
	B38	WO 01/49338	7/12/01	PCT				
	B39	WO 01/74414	10/11/01	PCT				
	B40	WO 02/03890	1/17/02	PCT				
	B41	WO 02/026162	4/4/02	PCT				
	B42	WO 02/34311	5/2/02	PCT				
	B43	WO 02/056790	7/25/02	PCT				
	B44	WO 03/000308	1/3/03	PCT				i

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FORM RT 3-1449 (Modified)
Approved for use through 10/31/2002

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Examiner	Ref. No.	Document	Date of	Country	Class	Subclass	Trans	lation		
Initial		Number	Publication		<u> </u>		Yes	No		
	B45	WO 03/022323	3/20/03	PCT						
	B46	WO 03/028780	4/10/03	PCT	,					
	B47	WO 03/037223	5/8/03	PCT						
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			Anonymous, <i>Heparin-coated stents cut complications by 30%</i> , Clinica 732:17 (Nov. 18, 1996), http://www.dialogweb.com/cgi/document?req=1061847871753, printed 8/25/03 (2 pages).							
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		Barbucci et al., Coating of commercially available materials with a new heparinizable material, J. Biomed. Mater. Res. 25:1259-1274 (Oct. 1991).								
	C8	Chung et al., Inner core segment design for drug delivery control of thermo-responsive polymeric micelles, Journal of Controlled Release 65:93-103 (2000).								
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Approved for use through 10/31/2002		US Patent and Trademark Office	50623.334	10/663,181		
INF	ORMATION DISCL	OSURE CITATION	Applicant			
	in an Appli	cation	Steven Z. Wu			
	(Use several sheets	if necessary)	Filing Date September 15, 2003	Group Art Unit Unassigned		
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Cf	15 Kataoka et al., <i>Bloch</i> 24:119-132 (1993).	c copolymer micelles as vehicles	for drug delivery, Journal of	Controlled Release		
C1		es For Treating Arterial Restenos Polym. [Proc. Am. Chem. Soc. Sy		d Release Implants,		
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C2	Nordrehaug et al., <i>A</i> 321 (P1694), Abstr.	novel biocompatible coating app Suppl. (1993).	olied to coronary stents, Euro	pean Heart Journal 14, p.		
C2			Orug, Pemirolast Potassium, on Restenosis After American Heart Journal 136(6):1081-1087 (Dec. 1998).			
·	Ozaki et al., <i>New Ste</i> (Sept./Oct. 1996).	ent Technologies, Progress in Ca	ardiovascular Diseases, Vol. 2	XXXIX(2):129-140		
C2		thylene glycol) Multiblock Copoly stry 11(2):131-139 (Mar./Apr. 20		cer Drug Doxorubicin,		
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